

McCann, Amy Arnold

From: David_Leary@aporter.com
Sent: Tuesday, December 17, 2002 1:07 PM
To: AmyArnold.McCann@us.pm.com
Subject: PM/Covance/Protocare Indemnity and Follow-up



DC_966641_1.DOC

Amy:

attached below for your review is a compare showing some changes to the indemnity agreement with Protocare. The only substantive change adds Protocare and its agents and contractors as additional indemnified parties. You and I discussed this request and you thought it was OK due to the limited nature of the indemnity and the reality of the way that the investigator does business. If you approve the change, I will also make it to some other indemnity agreements between PM and Protocare since there is a separate agreement for each investigator/trial site.

As a bit of follow-up, there are a couple of outstanding issues. First, I sent to you a revised version of the University of Nebraska investigator agreement. Please let me know if you have any thoughts on the revisions or if you would like me to re-send the compare. Second, I forwarded to you a fax from VCU asking that the indemnity be subject to a provision of the Virginia code that permits the AG to settle claims. I think that PM would be subject to this code provision regardless of the reference in the letter, but let me know if you disagree or if there's a history with VCU on this matter.

Best regards,

David

(See attached file: DC_966641_1.DOC)

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